THOMAS P. RILEY, SBN 194706 LAW OFFICES OF THOMAS P. RILEY, P.C. **One California Plaza** 300 South Grand Avenue, Suite 2670 Los Angeles, CA 90071-3161 3 Tel: 213-229-9292 Fax: 213-229-9295 TPRLA@att.net 5 **Attorneys for Plaintiff** 6 Garden City Boxing Club, Inc. 7 UNITED STATES DISTRICT COURT 8 NORTHERN DISTRICT OF CALIFORNIA 9 *E-FILED - 8/4/05* 10 Garden City Boxing Club, Inc., **CASE NO. CIV 05-01553 RMW** 11 Plaintiff, PLAINTIFF'S REQUEST FOR AN 12 ORDER EXTENDING TIME TO COMPLETE SERVICE, AND ORDER VS. 13 14 Hakim A. Ghiassy, et al. 15 Defendants. 16 17 TO THE HONORABLE RONALD M. WHYTE, THE DEFENDANTS, AND THEIR ATTORNEY/S OF RECORD: 18 19 As of this date, Plaintiff has been unable to successfully serve its Complaint upon Defendants 20 Hakim A. Ghiassy a/k/a Hakim John Ghiassy and Adan Bracamontes, individually and d/b/a Alta Mar 21 Mexican Restaurante a/k/a Alta Mar Mexican Restaurante. 22 23 Wherefore, Plaintiff makes the following representations and recommendations: 24 On April 15, 2005, Plaintiff's Complaint was filed against Defendants Hakim A. Ghiassy 25 a/k/a Hakim John Ghiassy and Adan Bracamontes, individually and d/b/a Alta Mar Mexican 26 Restaurante a/k/a Alta Mar Mexican Restaurante (hereinafter referred to as "Defendants"). 27 28

PAGE 1

PLAINTIFF'S REQUEST FOR AN ORDER EXTENDING TIME TO COMPLETE SERVICE, AND ORDER

- 2. While service problems are by no means uncommon in this type of litigation, in many instances, Plaintiff's process service companies, or a specialized skiptracing firm is able to effectively skip trace a defendant in order that service may be properly effected.
- 3. As of this writing, Plaintiff believes, however, that the defendants have not left the area and are still within this Court's jurisdiction. No other contrary information stating otherwise has been sent to Plaintiff or its counsel.

WHEREFORE, Plaintiff respectfully requests that the Court permit an additional sixty days (60) from today's date to effectuate service of the Summons and Complaint filed in this matter, or to file a motion for service by publication, or in the alternative, a Notice of Voluntary Dismissal as to each and every defendant where service has not been made or service by publication requested.

Respectfully submitted,

Date: July 5, 2005 /s/ Thomas P. Riley

LAW OFFICES OF THOMAS P. RILEY, P.C.

By: Thomas P. Riley, Esquire Attorneys for Plaintiff Garden City Boxing Club, Inc.

PLAINTIFF'S REQUEST FOR AN ORDER EXTENDING TIME TO COMPLETE SERVICE, AND ORDER

1 **ORDER** 2 The Court, upon review of Plaintiff's request and representations presented in the above-entitled 3 matter hereby orders the following: Plaintiff is granted an additional sixty (60) days from today's date to effectuate service of the 5 Summons and Complaint filed in this matter, or to file a motion for service by publication, or in the 6 alternative, a Notice of Voluntary Dismissal as to each and every defendant where service has not 7 been made or service by publication requested. 8 9 IT IS SO ORDERED: 10 11 12 /S/ RONALD M. WHYTE 8/4/05 Date: 13 HONORABLE RONALD M. WHYTE United States District Court Judge 14 Northern District of California 15 /// /// 16 /// 17 /// 18 /// 19 /// 20 /// 21 /// 22 /// 23 /// 24 /// 25 /// 26 /// 27 /// 28 PLAINTIFF'S REQUEST FOR AN ORDER EXTENDING

TIME TO COMPLETE SERVICE, AND ORDER

PAGE 3

1 PROOF OF SERVICE (SERVICE BY MAIL) 2 I declare that: 3 I am employed in the County of Los Angeles, California. I am over the age of eighteen years 5 and not a party to the within cause; my business address is One California Plaza, 300 South Grand 6 Avenue, Suite 2670, Los Angeles, CA 90071. I am readily familiar with this law firm's practice for 7 collection and processing of correspondence/documents for mail in the ordinary course of business. 8 9 On July 5, 2005, I served: 10 PLAINTIFF'S REQUEST FOR AN ORDER EXTENDING TIME TO COMPLETE 11 SERVICE, AND ORDER (Proposed) 12 On all parties in said cause by enclosing a true copy thereof in a sealed envelope with postage 13 prepaid and following ordinary business practices, said envelope was duly mailed and addressed to: 14 15 Hakim A. Ghiassy (Defendant) 16 1060 E. 12th Street Okalnd, CA CA 94533 17 18 **Adan Bracamontes** (Defendant) 1060 E. 12th Street 19 Okalnd, CA CA 94533 20 21 I declare under the penalty of perjury pursuant to the laws of the United States that the 22 foregoing is true and correct and that this declaration was executed on July 5, 2005, at Los Angeles, 23 California. 24 25 26 Dated: July 5, 2005 /s/ Inesa Mamidjanyan 27 INESA MAMIDJANYAN 28 PLAINTIFF'S REQUEST FOR AN ORDER EXTENDING TIME TO COMPLETE SERVICE, AND ORDER (Proposed)

PAGE 4